



**A = Approved, A1 = Approved First Reading, A2 = Approved Second Reading, D = Deferred,
NA = No Action, PH = Authorized Public Hearing, AD = Approval Denied**

ACTION AGENDA

Hickory City Council
76 North Center Street

December 1, 2015
7:00 p.m.

- I. Call to Order
- II. Invocation by Senior Pastor Bill Miller-Zurell, Holy Trinity Lutheran Church
- III. Pledge of Allegiance
- IV. Oaths of Office Ceremony

Oath of Office was administered to Alderman Lail, Alderman Seaver, and Alderman Tarlton
- V. Recognition of Retiring Ward 2 Alderman Meisner

City Attorney Crone presented a PowerPoint presentation highlighting Alderman Meisner's tenure as City Councilman. Attorney Crone and Council Members shared memories about serving with Alderman Meisner.

Alderman Meisner was presented with a desk chair which was inscribed with the City's seal and the dates of service for Alderman Meisner. Alderman Meisner briefly discussed his years with the City and thanked everyone.
- VI Election of Mayor Pro Tempore for Calendar Year 2016 Pursuant to NC General Statute §160A-70 and Section 2-54 of the Hickory City Code.

A Alderman Lail was nominated as Mayor Pro Tempore for Calendar Year 2016. Oath of Office was administered to Alderman Lail.
- VII. Special Presentations

NA A. Proclamation for Human Rights Day, December 10, 2015 and Bill of Rights Day, December 15, 2015. **(Exhibit VIII.A.)**

Mayor Pro Tempore Lail read and presented the Proclamation for Human Rights Day and Bill of Rights Day to Rev. Susan Smith Walker and others in attendance.
- VIII. Appointment of a City Attorney for Calendar Year 2016 Pursuant to the Hickory City Code, Section 4.151 of the Charter.

A Attorney John Crone was nominated as City Attorney for Calendar Year 2016. Oath of Office was administered to Attorney Crone.
- IX. Persons Requesting to Be Heard
- X. Approval of Minutes

A A. Regular Meeting of November 17, 2015 **(Exhibit X.A.)**

December 1, 2015

- XI. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.
- A2 A. Approval of a Landscape Grant for Non-residential Property Owned by Lakeview Development Holdings, LLC Located at 716 4th Street SW in the Amount of \$2,500. **(First Reading Vote: Unanimous)**
 - A2 B. Approval of a Community Appearance Grant for Non-residential Property Owned by the Hickory Elks Lodge Located at 356 Main Avenue NW in the Amount of \$5,000. **(First Reading Vote: Unanimous)**
 - A2 C. Approval of a Community Appearance Grant for Non-residential Property Owned by the ADEMNC, LLC Located at 509 11th Street NW, in the Amount of \$5,000. **(First Reading Vote: Unanimous)**
 - A2 D. Acceptance of the Bid and Award to Asheville Ford Lincoln in the Amount of \$71,455.44 for the Purchase of Replacement Service Vehicles for Public Utilities. **(First Reading Vote: Unanimous)**
 - A2 E. Grant Project Ordinance Amendment Number 3. **(First Reading Vote: Unanimous)**
 - A2 F. Budget Ordinance Amendment Number 10. **(First Reading Vote: Unanimous)**
 - A2 G. Budget Ordinance Amendment Number 11. **(First Reading Vote: Unanimous)**
- XII. Consent Agenda: All items below are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item XIII.
- A1 A. Approval to Award Bid to Asheville Ford Lincoln in the Amount of \$174,809.52 for the Purchase of Five Vehicles. **(Exhibit XII.A.)**

Staff requests the award of bid number 16-008 for vehicle fleet replacement to the lowest bid per vehicle meeting or exceeding minimum specifications. Competitive bids were solicited with a total of two dealerships submitting bids. The lowest bidder, Asheville Ford Lincoln, met the specifications for all five vehicles. Four of the vehicles will be used in the Water and Sewer Department and one for the Traffic Department. Staff requests awarding the bid for the purchase of five vehicles to Asheville Ford Lincoln in the amount of \$174,809.52.
 - A B. Approval of Jeffery Scott Gouge to the Hickory Fire Department Local and Supplemental Retirement Board of Trustees. **(Exhibit XII.B.)**

The Firefighters' Relief Fund (FRF) benefit (General Statute NCGS §§58-84-1 through 58-84-60) was passed by Legislation in 1907. The FRF's purpose was to financially assist firefighters that may have been injured while volunteering their service to their community. The RFR is funded by a percentage of the tax paid on property coverage pursuant to General Statute §105-228-5. The State Insurance Commissioner disburses funds collected for the FRF. For each county, town or city complying with and deriving benefits from the provisions of FRF, General Statute §58-84-30 requires appointment of a local board of trustees, known as the Trustees of the Local Firefighters' Relief Fund. Each local Fire Department Board of Trustees of the Local and Supplemental Retirement Board consists of five (5) members. The five members consist of one member appointed by the North Carolina Insurance Commissioner, two members appointed by Mayor and Council, and two members elected by the fire department membership. The purpose of the board is to administer the disbursement of funds received from the State of North Carolina Department of Insurance for local firefighter relief and supplemental retirement programs. As of January 1, 2016, per Department of Insurance requirements, we must

appoint a representative to the Board for a term of two years. Fire Chief Fred Hollar recommends Jeffery Scott Gouge be reappointed to the Board of Trustees effective January 1, 2016. Battalion Chief Gouge, who is retiring from the Hickory Fire Department at the end of the year, currently serves on the board. If reappointed by Council, he will continue to serve on this board for a period of two years as a citizen appointee within the Hickory fire district, at which time he will either be reappointed or resign from this position. Staff recommends approval of Jeffery Scott Gouge to be reappointed to the Hickory Fire Department Board of Trustees Local Relief and Supplemental Retirement Board.

- A1 C.** Approval of a Contract with AMEC Foster Wheeler in the Amount Not to Exceed \$188,000 for Planning Services in Conjunction with the City's Brownfield Area-wide Planning Grant. **(Exhibit XII.C.)**

The Brownfields Area-wide Planning Grant provides grants of up to \$200,000 to develop a plan for a small area that contains multiple known or suspect Brownfield sites. Hickory was recently awarded one of twenty grants to develop an area-wide plan. These plans typically focus on a neighborhood or district. Hickory's plan will focus on the revitalization of the area in the vicinity of US 70 between US 321 and South Center Street. Staff reviewed five consultant qualification statements, and selected AMEC Foster Wheeler as the recommended planning and environmental consultant for the project. The project will include extensive revitalization planning, market analysis, and community engagement necessary to complete the area-wide plan. Grant funding will result in the completion of a comprehensive small area plan for the redevelopment and eventual cleanup of the project area. Funds will be used to conduct market analyses to determine re-use options for properties in the area. The plan will also discuss needed land use changes and infrastructure improvements necessary to spur redevelopment and cleanup of brownfield sites. AMEC Foster Wheeler will provide the professional contractual services for an amount not to exceed \$188,000, which is fully covered under the USEPA Brownfield Area-wide Planning Grant. No City monies will be expended pursuant to this contractual service. Staff recommends City Council's approval of the contract with AMEC Foster Wheeler for planning services in conjunction with the City's Brownfield Area-wide Planning Grant.

- A1 D.** Budget Ordinance Amendment Number 12. **(Exhibit XII.D.)**

1. *For the Hickory Police Department to purchase the following items for the Special Operations Team with State Unauthorized Substance Tax funds: a) 16 helmets @ \$5,279.84; b) 16 rail-set bungees for helmets @ \$1,632.00; and c) 16 shroud drilling @ \$320.00. Items altogether total \$7,231.84.*
2. *To recognize as revenues \$77.00 received in donations to the Youth Council for their Christmas projects.*
3. *Budget Ordinance Amendment to revise grant project for the purchase of 12 body worn cameras, hardware, service, and digital evidence management solution for the Hickory Police Department and the purchase of equipment for officer training by Catawba County. Federal funding in the amount of \$19,555 is available to the City and \$12,900 is available for Catawba County. Hickory is the lead agency for grant administration. Council accepted the award on September 15, 2015. The change of scope has been approved by the granting agency for the purchase of 25 cameras at no cost and licenses and upgrade of the current 90 licenses to unlimited data storage at a cost of \$34,744.75 (JAG Funds remain the same at \$19,555 and the remaining \$15,189.75 will be transferred from the Hickory Police Department Operating Budget).*

- A1 E.** Grant Project Ordinance Amendment Number 4. **(Exhibit XII.E.)**

1. *Grant Project Ordinance Amendment Request to revise project for the purchase of 12 body worn cameras, hardware, service, and digital evidence management solution for the Hickory Police Department and the purchase of equipment for officer training by Catawba County. Federal funding in the amount of \$19,555 is*

available to the City and \$12,900 is available for Catawba County. Hickory is the lead agency for grant administration. Council accepted the award on September 15, 2015. The change of scope has been approved by the granting agency for the purchase of 25 cameras at no cost and licenses and upgrade of the current 90 licenses to unlimited data storage at a cost of \$34,744.75 (JAG Funds remain the same at \$19,555 and the remaining \$15,189.75 will be transferred from the Hickory Police Department Operating Budget). The original Grant Project Ordinance was approved for second reading on 11/3/15.

XIII. Items Removed from Consent Agenda – None

XIV. Informational Item

- NA** A. Mick Berry's Travel to the Metro Mayors Annual Meeting, Raleigh, NC, November 12-13, 2015, (Meals and Lodging – \$230.57; Registration Fee - \$150; Mileage Reimbursement - \$170.20) **(Exhibit XIV.A.)**

XV. New Business:

A. Public Hearings

- A1** 1. Consideration of Text Amendment (TA) 15-01. **(Exhibit XV.A.1.)**

On an annual basis, the Planning and Development Services Department, in conjunction with the Hickory Regional Planning Commission, conducts a review of the City's Land Development Code to determine if amendments are needed. During the current review, Staff has recommended amendments to Article 2 as it relates to NC Session Law 2015-160, which eliminates local government's ability to utilize protest petitions; Article 4 as it relates to NC Session Law 2015-86, which eliminates local government's ability to regulate aesthetical designs for one and two family homes; and Article 9 as it relates to the correction of a typographical error. The text amendments outlined were considered by the Hickory Regional Planning Commission during an advertised public hearing on October 28, 2015 and voted unanimously (7-0) to recommend City Council's approval. Staff concurs with the recommendation.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on November 20, and November 27, 2015.

- A1** 2. Amending Chapter 18, Article VI, Sections 18-119 and 18-136 of the Hickory City Code. **(Exhibit XV.A.2.)**

Chapter 18, Article VI, Section 18-119 states all city parking is two hour parking. However, actual time limits for city parking spaces and lots varies. Currently Section 18-136 prohibits people from parking in privately leased spaces in city parking lots. The section further states that these parking lots and the individual leased spaces will be identified with specific signage. The current identifying signage for some lots and individual spaces is inconsistent with the ordinance. This inconsistency has led to confusion at times for users and staff. The proposed amendments would clarify any confusing language and also resolve any inconsistencies between the ordinance and actual parking.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on November 20, 2015.

B. Departmental Reports:

- A1** 1. Approval of a Vacant Building Revitalization and Demolition Grant for AKSS Real Estate, LLC. **(Exhibit XV.B.1.)**

City Council established the Vacant Building Revitalization and Demolition Grant program on September 16, 2008. The program provides grant funding up to \$20,000 for projects to renovate and rehabilitate vacant buildings within the Urban Revitalization Area and targeted industrial buildings in other areas of the city. AKSS Real Estate LLC has applied for a Vacant Building Revitalization Grant in the amount of \$20,000 to assist in the renovation of the vacant former furniture store building located at 930 Highway 70 SW. The applicant plans to renovate the facility for use as a bridal boutique and other retail space. The applicant plans to invest approximately \$1.13 million in real property improvements to rehabilitate the building. This makes the project eligible for a \$20,000 grant. The applicant plans to demolish a portion of the building and extensively renovate the remainder of the building into a retail strip center. The Business Development Committee reviewed the application and recommends approval. Staff recommends City Council's approval of the Vacant Building Grant Agreement with AKSS Real Estate, LLC.

- A1** 2. Consideration of a Funding Agreement with Habitat for Humanity of the Catawba Valley, Inc. **(Exhibit XV.B.2.)**

The City has been approached by Habitat for Humanity regarding the expansion of their housing rehabilitation program in the hopes of benefiting more families in the City of Hickory. The funding agreement describes the requirements for the City and Habitat for Humanity of the Catawba Valley to ensure that all applicable federal regulations are met. Funds will be used to provide grants to low and moderate income families for rehabilitation of owner occupied housing. The City has received additional income into its previous rental rehabilitation program from a loan payoff. This program income is used to provide funding for affordable housing efforts. Using a portion of this funding to assist Habitat in expanding their rehabilitation program will complement the City's existing housing rehabilitation programs through the leveraging of donated materials and volunteer labor. This will permit the City and Habitat to assist additional families in the coming year. Habitat for Humanity has requested \$30,000 in additional funding. The Citizen's Advisory Committee reviewed this request at their October meeting and recommended approval. Staff recommends approval of the funding agreement between the City of Hickory and Habitat for Humanity of the Catawba Valley, Inc. which will allow them to enhance their housing rehabilitation services to benefit low to moderate income households.

- A** 3. Appointments to Boards and Commissions

BOND IMPLEMENTATION COMMISSION

Ward 1 (Alderman Lail Appoints)	Vernon Tarlton Resigned (2 year term expires 2-2-2017)
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Mayor Pro Tempore Lail nominated Suzanne Trollan to Bond Implementation Commission Ward 1 Representative.

COMMUNITY RELATIONS COUNCIL

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)

Other Minority	VACANT
Other Minority	VACANT

HICKORY REGIONAL PLANNING COMMISSION

(Terms Expiring 6-30; 3-Year Terms With Unlimited Appointments)
(Appointed by City Council)

Burke County	(Mayor to Nominate)	VACANT Since 8-6-2008
Brookford	(Mayor to Nominate)	VACANT Since 6-2006

INTERNATIONAL COUNCIL

(Appointed by Mayor with the Concurrence of City Council)

(8) Positions VACANT

PARKS AND RECREATION COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
At-Large Minority VACANT

PUBLIC ART COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 2 VACANT
Ward 3 VACANT
At-Large (Mayor Nominates) VACANT

RECYCLING ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 3 VACANT

YOUTH COUNCIL

(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)

Hickory Career Arts Magnet VACANT

C. Presentation of Petitions and Requests

XVI. Matters Not On Agenda (requires majority vote of Council to consider)

Considered and approved a request that the enforcement of hourly parking is not enforced in the Union Square area during the month of December until January 15th.

XVII. General Comments By Members of Council, City Manager or City Attorney of a Non-Business Nature

Mayor Pro Tempore Lail asked about the Christmas Parade.

Alderman Guess commented that it was well attended, and the weather was perfect. The two emcees, Deputy City Attorney Arnita Dula and City Manager Mick Berry did a very good job. That was the second year they had done that, and he felt that it added to the parade and made it more professional. People seemed to enjoy that. He commented that we need to make it bigger and better for next year, and he was sure that was already on the agenda.

City Manager Mick Berry commented that staff did a great job. They provide the emcees with a cheat sheet, and they know who is coming, and it makes it very easy for them.

Alderman Seaver commented that he wasn't here this year, but last year it was one of the best attended, and most liked of previous ones.

Mr. Berry commented that it was bigger than last year.

Alderman Guess commented that there is a lot of behind the scenes and a lot of hard work, and a lot of people that hadn't been recognized that put a lot into that. He thanked them for their efforts, it is always a fun time.

Mayor Pro Tempore Lail commented that the bond process had picked up some speed and is beginning to accelerate some. An email had been sent out to the Bond Commission regarding an upcoming meeting. They will be reviewing some of the priorities that had been selected through some exercises by Freese Nichols. It is good to see that process cranking along. He thinks that we are on schedule to wrap up and have some ideas by February.

Mr. Berry advised that in both of the January meetings it would be on the agenda for Council to get down to the priorities and the budgets of the projects.

Alderman Seaver commented there would be some dirt stirring shortly.

Mayor Pro Tempore Lail commented that Staff had done a great job and the Bond Commission had done a fabulous job, and have been very much involved. Exciting stuff for 2016.

XVIII. Adjournment

**The City of Hickory holds all public meetings in accessible rooms.
Special requests for accommodation should be submitted by individuals
with disabilities at least 48 hours before the scheduled meeting.
Phone Services (hearing impaired) – Call 711 or 1-800-735-2962**